

United States Bankruptcy Court
Middle District of Tennessee

In re:
Capstone Pediatrics, PLLC
Debtor

Case No. 19-01971-RSM
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0650-3

User: bmp2450
Form ID: pdf001

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 10, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 12, 2020.

db +Capstone Pediatrics, PLLC, 1420 Donelson Pike Suite B17, Nashville, TN 37217-3015

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 12, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 10, 2020 at the address(es) listed below:

BRUCE ANTHONY SAUNDERS on behalf of Interested Party Cigna Healthcare of Tennessee, Inc.
tsaunders@wyattfirm.com
BRUCE ANTHONY SAUNDERS on behalf of Interested Party Connecticut General Life Insurance
Company tsaunders@wyattfirm.com
BRUCE ANTHONY SAUNDERS on behalf of Interested Party HealthSpring Life and Health Insurance
Company, Inc. tsaunders@wyattfirm.com
DALTON M MOUNGER on behalf of Creditor A-Z Office Resource, Inc. dmounger@dmounger.com
DANIEL HAYS PURYEAR on behalf of Creditor Newtek Small Business Finance, LLC
dpuryear@puryearlawgroup.com, paralegalgroup@puryearlawgroup.com
DANIEL HAYS PURYEAR on behalf of Creditor CDS Business Services, Inc. d/b/a Newtek Business
Credit dpuryear@puryearlawgroup.com, paralegalgroup@puryearlawgroup.com
DAVID W HOUSTON, IV on behalf of Debtor Capstone Pediatrics, PLLC dhouston@burr.com,
mmayes@burr.com
EMILY CAMPBELL TAUBE on behalf of Debtor Capstone Pediatrics, PLLC etaube@burr.com,
mmayes@burr.com;sstarr@burr.com
GREGORY S REYNOLDS on behalf of Creditor SNH Medical Office Properties Trust
greynolds@rwjplc.com, kbarger@rwjplc.com;lnelson@rwjplc.com
JOSHUA L BURGNER on behalf of Creditor ARHC GMCLKT01, LLC jburgener@dickinsonwright.com,
dsolis@dickinsonwright.com;ppardee@dickinsonwright.com
MATTHEW RYAN GASKE on behalf of Creditor TN Dept of Revenue matthew.gaske@ag.tn.gov
MEGAN REED SELIBER on behalf of U.S. Trustee US TRUSTEE megan.seliber@usdoj.gov
MICHAEL G ABELOW on behalf of Creditor SL Airpark, LLC mabelow@srvhlaw.com,
sdossey@srvhlaw.com
MICHAEL G ABELOW on behalf of Creditor UnitedHealthcare Insurance Company mabelow@srvhlaw.com,
sdossey@srvhlaw.com
MICHAEL G ABELOW on behalf of Creditor SL Airpark II, LLC mabelow@srvhlaw.com,
sdossey@srvhlaw.com
MILTON S. MCGEE, III on behalf of Creditor SNH Medical Office Properties Trust
tmcgee@rwjplc.com, dgibby@rwjplc.com
NATALIE M. COX on behalf of U.S. Trustee US TRUSTEE natalie.cox@usdoj.gov
R BURKE KEATY, II on behalf of Creditor LaVon House bkeaty@forthepeople.com,
jkeaty@forthepeople.com;anosal@forthepeople.com
RYAN K COCHRAN on behalf of Creditor Four Plus Corporation ryan.cochran@wallerlaw.com,
chris.cronk@wallerlaw.com;Deborah.liles@wallerlaw.com
SEAN CHARLES KIRK on behalf of Creditor Fairway-Galt, LLC skirk@bonelaw.com
THOMAS WORMOUTH SHUMATE, IV on behalf of Creditor Meridian Law, PLLC
tom.shumate@meridianlawpllc.com
US TRUSTEE ustpreregion08.na.ecf@usdoj.gov
WARD W BENSON on behalf of Creditor United States of America on behalf of the Internal
Revenue Service ward.w.benson@usdoj.gov, Eastern.Taxcivil@usdoj.gov;james.j.wilkinson@usdoj.gov
WILLIAM L NORTON, III on behalf of Creditor Athenahealth bnorton@abac.com

TOTAL: 24



Dated: 7/9/2020

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:)	
)	Case No: 3:19-bk-1971
CAPSTONE PEDIATRICS, PLLC,)	Chapter 11
)	Judge Randal S. Mashburn
Debtor.)	

**AGREED ORDER COMPELLING DEBTOR TO VACATE AND
SURRENDER PREMISES FOLLOWING REJECTION OF LEASE
(CLARKSVILLE LEASE)**

This matter came before the Court on the *Expedited Motion for Order Compelling Debtor to Vacate and Surrender Premises Following Rejection of Lease (Clarksville Lease)*, Docket No. 226 (the “Motion”) filed by ARHC GMCLKTN01, LLC (the “Landlord”). Notice of the Motion and of the hearing thereon was sufficient in the particular circumstances. Upon reviewing the Motion, the Court finds that cause exists for granting the relief requested by the Motion. The Debtor, Capstone Pediatrics, PLLC (“Debtor”), and the Landlord have stipulated and agreed to this Agreed Order.

IT IS THEREFORE ORDERED THAT:

1. The Debtor shall comply with 11 U.S.C. § 365(d)(4)(A) and, by no later than 5:00 p.m., Central Time, on July 13, 2020 (“Initial Surrender Date”), shall vacate and surrender to the Landlord those Premises that are the subject of the Lease between the Landlord and the Debtor and that are located at or near 647 Dunlop Lane, Clarksville, Tennessee (“Premises”).
2. The Debtor may remain in possession of the Premises following the Initial Surrender Date, provided that it pays to the Landlord the sum of \$9,692.41, constituting the rent and charges due under the Lease for the calendar month of July 2020 (“July Rent Payment”), which Payment shall be delivered by 5:00 p.m., Central Time, on July 10, 2020,

to the attention of Joshua L. Burgener, Dickinson Wright LLP, 424 Church Street, Suite 800, Nashville, Tennessee 37219.

3. If the July Rent Payment is not received by the Landlord as required by Paragraph 2 of this Agreed Order, the Landlord's counsel shall promptly file a notice of non-payment of the July Rent Payment.

4. Provided that the July Rent Payment is received by the Landlord as required by Paragraph 2 of this Agreed Order, the Debtor shall vacate and surrender the Premises to the Landlord by no later than 5:00 p.m., Central Time, on July 31, 2020 ("Final Surrender Date").

5. Until it surrenders possession of the Premises to the Landlord, the Debtor shall comply with all non-monetary obligations under the Lease.

6. Upon surrender of possession of the Premises to the Landlord, the Debtor shall (a) clean the Premises and leave the Premises in their original condition, except for reasonable wear and tear, (b) remove all personal property, without damage to the Premises, and (c) provide the Landlord or its agents with all keys and codes to the Premises.

*[This Agreed Order was signed and entered electronically
as indicated at the top of the first page.]*

APPROVED FOR ENTRY:

/s/Joshua L. Burgener

Joshua L. Burgener
DICKINSON WRIGHT LLP
424 Church Street, Suite 800
Nashville, Tennessee 37219
Telephone: (615) 244-6538
Facsimile: (844) 670-6009
Email: JBurgener@dickinsonwright.com
Attorney for ARHC GMCLKTN01, LLC

/s/David W. Houston, IV

David W. Houston, IV (20802)
Emily Taube (019323)
BURR & FORMAN LLP
222 Second Avenue South, Suite 2000 Nashville, Tennessee 37201
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Attorney for Debtor Capstone Pediatrics, PLLC

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